WPMB NO. 884 OF 2002

Hon'ble P.C. Verma, J.
Hon'ble M.M. Ghildiyal, J.

Heard Sri V.B.S. Negi learned counsel for the petitioner and the learned Standing Counsel.

This petition has been filed by the petitioner seeking a writ of certiorari to quash the FIR dated 8.12.2002 contained in annexure 1 to the writ petition. A perusal of the FIR shows that it contains the offence alleged to have been committed by the petitioner under various sections of the I.P.C. The investigation is going on. Since the investigation is going on, therefore, we are not inclined to entertain this petition.

The petitioner shall appear on every day before the Investigating Officer and the Investigating Officer shall conduct the inquiry day to day till the inquiry is completed. However the petitioner shall not be taken into custody during the night. Till the credible material is not found with the I.O. the petitioner shall not be taken into custody.

The petition is dismissed with the above observations.

(P.C. Verma, J.)
(M.M. Ghildiyal, J.)

14.12.2002
MPS